UNITED NATIONS

General Assembly

FIFTY-FIRST SESSION

Official Records

FIFTH COMMITTEE
1st meeting
held on
Tuesday, 17 September 1996
at 4.15 p.m.
New York

SUMMARY RECORD OF THE 1st MEETING

Temporary Chairman: Mr. RAZALI
(President of the General Assembly)

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ELECTION OF THE CHAIRMAN

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Distr. GENERAL
A/C.5/51/SR.1
11 October 1996

ORIGINAL: ENGLISH

96-81159 (E)

The meeting was called to order at 4.15 p.m.

ELECTION OF THE CHAIRMAN

1. Mr. VILCHEZ ASHER (Nicaragua) nominated Mr. Sengwe (Zimbabwe) for the office of the Chairman.

2. In the absence of further nominations and in accordance with rule 103 of the rules of procedure, the TEMPORARY CHAIRMAN said that he would take it, if he heard no objection, that the Committee wished to elect Mr. Sengwe (Zimbabwe) Chairman.

3. Mr. Sengwe (Zimbabwe) was elected Chairman by acclamation.

The meeting rose at 4.20 p.m.

UNITED NATIONS

General Assembly

FIFTY-FIRST SESSION

Official Records

FIFTH COMMITTEE
2nd meeting
held on
Monday, 23 September 1996
at 3 p.m.
New York

SUMMARY RECORD OF THE 2nd MEETING

Chairman: Mr. SENGWE (Zimbabwe)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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ELECTION OF THE VICE-CHAIRMEN AND RAPPORTEUR

ORGANIZATION OF WORK

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Distr. GENERAL
A/C.5/51/SR.2
5 November 1996
ENGLISH
ORIGINAL: FRENCH

96-81207 (E)

The meeting was called to order at 3.10 p.m.

ELECTION OF THE VICE-CHAIRMEN

1. The CHAIRMAN drew attention to rule 103 of the rules of procedure of the General Assembly and informed the Committee that the Group of Western European and Other States and the Group of Asian States, respectively, had nominated Mr. Klaus-Dieter Stein (Germany) and Mr. Syed Rafiqul Alom (Bangladesh) for the posts of Vice-Chairmen. Since there were two candidates for two posts, if there were no objections, he would take it that the Committee wished to dispense with a secret ballot.

2. It was so decided.

3. Mr. Klaus-Dieter Stein (Germany) and Mr. Syed Rafiqul Alom (Bangladesh) were elected Vice-Chairmen by acclamation.

ELECTION OF THE RAPPORTEUR

4. The CHAIRMAN informed the Committee that the Group of Eastern European States had nominated Mr. Igor Goumenny (Ukraine) for the post of Rapporteur of the Committee. Since there were no other candidates, if there were no objections, he would take it that the Committee wished to dispense with a secret ballot.

5. It was so decided.

6. Mr. Igor Goumenny (Ukraine) was elected Rapporteur by acclamation.

7. Mr. VILCHEZ ASHER (Nicaragua), taking the floor in accordance with rule 110 of the rules of procedure, stressed the importance of the Fifth Committee as the principal forum for dialogue between the Assembly and the Secretariat. He was confident that the issues held over from the previous session could be resolved during the current session.

ORGANIZATION OF WORK (A/51/250, A/C.5/51/5 and A/C.5/51/L.1)

8. The CHAIRMAN informed the members of the Committee that the General Assembly had accepted, at its third plenary meeting, all the recommendations of the Bureau concerning the organization of the session (A/51/250). He drew particular attention to the importance of the recommendation on meeting schedules and punctuality, the recommendation on the quorum required, and the recommendation that Member States should exercise restraint in making proposals requesting new reports of the Secretary-General. The number of reports to be prepared in fact had a direct bearing on whether or not they could be made available in a timely manner, which was essential in order to enable delegations to familiarize themselves with the reports before they were considered.

9. The CHAIRMAN drew attention to the letter (A/C.5/51/5) addressed to him by the President of the General Assembly concerning the matters that had been referred to the Fifth Committee, which numbered 37. He then drew the

Committee's attention to the table prepared by the Secretariat containing the provisional schedule of its work, and then to the note by the Secretariat (A/C.5/51/L.1) on the status of documentation. He noted that the Committee once again had a heavy workload and that the rationalization of its work should be continued, an objective which he would pursue in consultation with delegations.

10. The CHAIRMAN reviewed the most important recommendations contained in the proposed schedule of meetings. Consideration of items 119, 126, 129, 134, 135 and 157 would begin on 7 October. From 15 October onwards, the Committee would be taking up three of the most important items on its agenda, namely, items 116, 118 and 120. On 21 October, it would begin, under item 114, its debate on the draft medium-term plan for the period 1998-2001, which, according to the Secretariat and in the light of the issues raised in the Secretary-General's proposals, could last for approximately three weeks. In early November, the Committee would take up two other very important matters, namely, items 121 and 122. The Under-Secretary-General for Administration and Management should brief the Committee periodically on the question of the financial situation of the Organization. Item 111 would not be taken up until 4 November in order to give the Advisory Committee time to consider the dozen or so related reports and to make its recommendations. There was no item entitled "Joint Inspection Unit" in the current year's agenda, but the reports of the Joint Inspection Unit would be considered under the items to which they were related. Finally, consideration of item 112 should begin during the week of 21 October to enable the Committee to take as early as possible those decisions which it had deferred to the fifty-first session pending consideration of the relevant documents.

11. The report of the Secretary-General on the proposed budget outline for the biennium 1998-1999 would be considered towards the end of November, together with the report of the Committee for Programme and Coordination and the comments of the Advisory Committee.

12. The proposed schedule should enable the Committee to conclude its general debate on a number of issues at a fairly early date and to devote a good part of the last weeks of the session to informal consultations.

13. Elections to fill vacancies in subsidiary organs and other elections (agenda item 17) were due to take place in early November and nominations would be closed at 6 p.m. on 21 October 1996.

14. Mrs. RODRÍGUEZ ABASCAL (Cuba) noted that consideration of the item on programme planning was due to begin on 21 October. The rules of procedure provided for programmes to be reviewed at the intergovernmental level, however, and it was therefore difficult to see how the other Committees would be able to review them before the matter was taken up by the Fifth Committee.

15. Mr. MENKVELD (Netherlands) drew the Committee's attention to the question of the contribution of the Czech Republic and Slovakia to the financing of peacekeeping operations. Those two States had been Members of the Organization since 1993 and the General Assembly had still not decided in which group to place them for the purpose of apportioning their assessed contributions to the peacekeeping operations budget. Five other new Member States had been classified in the meantime, but the Czech Republic and Slovakia had still not

been invited to pay any contribution - and the longer the wait, the heavier would be the burden for them when their contributions were assessed retroactively. It would therefore be necessary to devote an informal meeting to that question, under the item entitled "Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations".

16. Mr. ŠRÁMEK (Czech Republic) recalled that the matter had been pending for three years, despite the efforts made to resolve it and noted that the reasons for the impasse still existed. If it were given the opportunity, the Czech Government was ready to submit a new proposal aimed at resolving the situation.

17. Mr. ELZIMAITY (Egypt) noted that no specific date had been set to consider the budget of a number of peacekeeping operations. In recent years, the Committee had found itself in the situation of having to consider, during the last week of the session, the case of operations of which no specific mention had been made in the schedule of meetings - which posed definite problems for delegations. The Secretariat should therefore give at least the approximate dates for the debates on all peacekeeping operations.

18. Mr. STEIN (Germany) supported the request of the Netherlands that the question of the Czech Republic and Slovakia should be considered in an informal meeting.

19. Mr. JESENSKÝ (Slovakia) said that his delegation supported the proposal by the Netherlands.

20. Ms. PEÑA (Mexico) said that it would be interesting to know why the debate on the programme budget for the biennium 1996-1997 would begin only on 15 October. Indeed, the issue of the employment of retired staff members was one of those which should be reviewed as a matter of priority during the session and, unless she was mistaken, it was precisely on 15 October at the latest that a decision on the matter was required. Moreover, the Mexican delegation was looking forward to the reply to the question asked by the Cuban delegation and supported the proposal of the Netherlands. It agreed that an informal meeting should be devoted to the problem of the assessed contributions of the Czech Republic and Slovakia to the financing of peacekeeping operations and, if a new proposal were to be made, then all delegations should be given a chance to consider it before the debate. In that way, the Committee would avoid the lack of transparency which sometimes characterized decisions of that nature.

21. Mrs. RODRÍGUEZ ABASCAL (Cuba) said that document A/C.5/51/L.1 contained no mention, under item 118 of the provisional agenda (Programme budget for the biennium 1996-1997), of the performance report which the Secretary-General was obliged to submit pursuant to General Assembly resolutions 50/230 and 50/231. Nor could she find any mention of the report that was to be submitted by the Sixth Committee, under item 122 of the provisional agenda (Human resources management), dealing with the reform of the internal system of justice. Since the Fifth Committee was scheduled to start its consideration of that question on 15 October, her delegation would like to know whether it would be provided with the relevant document by that date. Moreover, it awaited with interest the response to the Mexican delegation's question about the report on the employment of retirees.

22. Mr. ETUKET (Uganda) said that much of the documentation listed in document A/C.5/51/L.1 had already been issued. In order to make as much headway as possible, the Committee should be provided with all documents in advance rather than receiving them on the day when it was scheduled to take up the questions to which they related.

23. Mr. KELLY (Ireland), referring to the statement made by the representative of Cuba, asked whether the understanding was that the Committee would not take up agenda item 114 until it had received comments from the other Main Committees. He thought it would be preferable to begin the debate immediately and request the other Committees to transmit their views at the earliest possible opportunity.

24. Ms. PEÑA (Mexico) said that the Committee had found itself in a similar situation during the forty-ninth session. On that occasion, the Chairman had sent letters to the Chairmen of the other Main Committees asking for their comments and setting a deadline for the receipt of their views. If the Committee followed the same procedure during the current session, it would have time to consider those comments before taking up agenda item 114.

25. Mr. THORNE (United Kingdom) said that the Committee for Programme and Coordination (CPC) had been unable to reach agreement on the final form of the medium-term plan. In the past, the Chairman of the Fifth Committee had sent letters to the other Chairmen asking for their views. The same procedure could be followed during the current session, and a deadline should be set for the receipt of such comments.

26. Mr. ETUKET (Uganda) said that the report of CPC should be issued as soon as possible. He noted that some programmes in the medium-term plan necessitated input from the other Main Committees and that, in a resolution adopted during the forty-ninth session, the General Assembly had stressed, in that connection, the need to take account of the views expressed by all competent intergovernmental bodies. His delegation therefore supported the Mexican proposal that letters should be sent to the Chairmen of the other Committees asking for their views before the Fifth Committee took up the question of programme planning. Moreover, it would be useful to know whether all the sectoral organs, in particular the Trade and Development Board of the United Nations Conference on Trade and Development, had been able to transmit their views on the medium-term plan to CPC.

27. The CHAIRMAN said he took it that the Committee wished to authorize him to write to the Chairmen of the Main Committees asking them for their views on the medium-term plan and setting a deadline for their replies.

28. Mr. MENKVELD (Netherlands) said that agenda item 114 dealt with a question which had been allocated to the Fifth Committee alone. The Fifth Committee could begin its work and only request the views of the other Committees if it felt that it needed their input during the debate. If such a need arose, the Chairman would ask for the views of a particular Chairman on very specific points. His delegation seemed to recall that such a procedure had been followed during the forty-ninth session. He was prepared to support the Cuban proposal that the debate on the matter should begin as soon as possible if it meant that,

by proceeding in the manner outlined, the Committee would have two or three additional weeks to consider the question and any subsequent input from the other Committees, since the latter generally concluded their work towards the end of November.

29. Ms. GOICOCHEA (Cuba) said that General Assembly resolution 41/213 stated that intergovernmental bodies and the Main Committees should participate in considering the medium-term plan element of programme planning. The practice of the Fifth Committee had been for the Chairman to send letters to the Chairmen of all the Main Committees as a matter of course, not just when diverging views had emerged. Her delegation therefore proposed that the Fifth Committee should begin its consideration of the item and at the same time ask the other Committees for their views. That approach was all the more important in that during the current session the Committee had before it a new medium-term plan which had not been considered by all the competent intergovernmental bodies. Such an analysis would make it easier to smooth out the difficulties which had not been resolved by CPC. In any case, it was regrettable that the matter had not been taken up straight away by the Main Committees; that would have speeded up the Fifth Committee's work considerably.

30. Ms. PEÑA (Mexico) said that, during the forty-ninth session, a letter had been sent to the Chairman of each Main Committee, and not just to the Chairmen of some of them.

31. Mr. REPASCH (United States of America) supported the proposal made by the representative of the Netherlands not to ask for views unless the need to do so arose. The Committee had received scant replies to the letters it had sent to the Chairmen of the other Committees during the forty-ninth session.

32. Mr. SULAIMAN (Syrian Arab Republic) noted that the debate on agenda item 116 (Programme budget for the biennium 1996-1997) was scheduled to start on 14 October. He recalled the proposal put forward by the Group of 77 and China at the resumed fiftieth session requesting the Secretariat to provide detailed information about the staff members who were due to be separated. The information should be provided as soon as possible; that would make it easier for the Committee to examine the question.

33. Ms. GOICOCHEA (Cuba) said that General Assembly resolution 41/213 provided for the full application of the rules governing programme planning and systematic consultations with all competent bodies in order to improve the process of consultation regarding the medium-term plan. To proceed otherwise would call into question a decision that had already been taken by the General Assembly.

34. Ms. EMERSON (Portugal) proposed that the Chairman should write to the Chairmen of the other Committees asking for their views and setting a deadline for their replies. The Fifth Committee could in the meantime start its consideration of the question.

35. The CHAIRMAN said that, if he heard no objection, he would write to the Chairmen of the other Committees asking for their views and set a deadline for

receipt of their replies. The Committee would begin its consideration of the item on 21 October.

36. Mr. MENKVELD (Netherlands) proposed that the debate on agenda item 114 should commence on 7 October and that any decision on whether or not to consult the other Committees should be postponed until then. The current meeting was intended to be devoted to the organization of the work of the Fifth Committee.

37. Ms. GOICOCHEA (Cuba) said that her delegation could not accept the proposal made by the representative of the Netherlands, which was contrary to the normal procedure of consultation with other Committees. The Chairman might, however, wish to study the matter with the other officers of the Committee in order to find a solution that reflected the practice of the Fifth Committee and the provisions of General Assembly resolution 41/213. Her delegation supported the Portuguese proposal, which took account of the differing positions and would enable the Committee to begin the debate on the matter before receiving the views of the other Committees. The item should not, however, be taken up before 21 October so that all delegations would have time to study the report of CPC.

38. The CHAIRMAN asked whether the representative of the Netherlands could accept the Portuguese proposal.

39. Mr. MENKVELD (Netherlands) said that his delegation could not accept the Portuguese proposal since a substantive matter concerning an agenda item was at stake. The wiser course would be to continue the discussion when the Committee took up the relevant agenda item, not in the context of the organization of the Committee's work.

40. Ms. GOICOCHEA (Cuba) said that her delegation could not accept the proposal made by the representative of the Netherlands because it believed that the matter pertained to the organization of work.

41. The CHAIRMAN proposed that consultations should be held with the representatives of Cuba and the Netherlands, as well as those of Mexico and Uganda, and that the results of those consultations should be reported to the members of the Committee on 7 October.

42. Mr. ETUKET (Uganda) supported the Chairman's proposal and said he took it that the holding of consultations would not affect the draft programme of work of the Committee.

43. Mrs. GOICOCHEA (Cuba) said that she had no objection to participating in the proposed negotiations; her delegation would be guided by the need to implement resolution 41/213, which could not be implemented selectively. Her delegation's agreement on the date on which the Fifth Committee should begin its consideration of the question would depend on the modalities envisaged for consultation with the Main Committees. The current debate in no way promoted the implementation of the decisions taken by the officers of the Committee with a view to facilitating the Committee's work, at a time when efficiency was a major concern for many delegations.

44. Ms. PEÑA (Mexico) said it was her understanding that, regardless of the informal consultations, the Fifth Committee would authorize its Chairman to write to the Chairmen of the other Committees; the only question was when it would do so. If the Chairman was given an immediate mandate to write those letters, without prejudice to subsequent negotiations, the Committee could make faster progress in its work.

45. Mr. AMARI (Tunisia) said he was sorry that Portugal's proposal had not been accepted, and stressed that the entire discussion which had just taken place came under the category of organization of work; moreover, as the Cuban and Netherlands delegations were not the only ones concerned, he would like the negotiations to be open to other delegations.

46. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the object was not to change the process of consultation with the other Main Committees, but to decide when to request their views. That was the question that should be addressed in the consultations with Cuba, the Netherlands and the other countries concerned.

47. Mr. MENKVELD (Netherlands) said that his delegation was prepared to be flexible and that if, at the forty-ninth session, the Fifth Committee had decided that the Chairman should write immediately to the Chairmen of the other Committees before it began to consider the agenda item, his delegation would not oppose the continuation of that practice. If, however, that had not been the case at the forty-ninth session, the Netherlands would prefer that consultations should be held on the subject.

48. Mr. ACAKPO-SATCHIVI (Secretary of the Committee) confirmed that, during the forty-ninth session, the Fifth Committee had indeed decided, at its meeting on the organization of work, to write to the Chairmen of the other Main Committees to request their views.

49. The CHAIRMAN asked whether he could, accordingly, follow the procedure described and request the views of the other Committees by writing to their respective Chairmen.

50. It was so decided.

51. The CHAIRMAN, referring to the proposal of the Netherlands concerning the Czech Republic and Slovakia, said that the officers of the Fifth Committee would consider the matter and report to the members of the Committee on 7 October.

52. Mr. TAKASU (Controller) explained that no dates were given in the proposed programme of work for some of the agenda items on peacekeeping operations because, in order to avoid overburdening the main part of the session, the General Assembly had adopted an annual cycle that ran from July to June for those operations. The Fifth Committee would therefore return to the question of peacekeeping operations at subsequent meetings during the second quarter of 1997, and only the items for which a date was given would be decided upon during the first part of the fifty-first session. With respect to agenda item 116 (Programme budget for the biennium 1996-1997), a question had been asked regarding the decisions to be taken by the Fifth Committee pursuant to General

Assembly resolutions 50/231 and 50/232, which concerned activities mandated after the adoption of the programme budget. In those resolutions, the Secretary-General had been requested to submit a report containing proposals on possible means of absorption of the costs related to those activities within the programme budget. In his report (A/C.5/50/57/Add.1), the Secretary-General had stated that there were no indications that the budget was being overspent as a result of those new mandates, but that he would be in a better position to submit the requested proposals in the context of the first performance report, by which time further experience in the implementation of the current programmes would have been acquired, taking into account all relevant factors. The Secretary-General therefore felt that the Fifth Committee should consider the question in the light of that report. With respect to involuntary separations, it was premature to submit a report on the matter because efforts were currently being made to redeploy all the staff members concerned. The employment of retirees should be one of the first matters to be discussed during the Committee's consideration of agenda item 120 (Human resources management).

53. Mr. ACAKPO-SATCHIVI (Secretary of the Committee), replying to a question put by Cuba, said that the Sixth Committee had decided to consider the issue of reform of the internal system of justice on 30 September and that the Fifth Committee should have its report by the end of the first week of October; that would enable the Fifth Committee to adhere to its proposed programme of work. If, however, that was not the case, the Fifth Committee would be obliged to postpone its consideration of the matter. In reply to a question from Uganda, he said that the report of CPC should be issued on 2 October.

54. Ms. PEÑA (Mexico) said that she would like more information on the consideration of agenda item 120, because it seemed that the item had been given priority and had been scheduled for consideration on 15 October at the latest for a specific reason: namely, to ensure that the needs for conference services were met.

55. Mr. ACAKPO-SATCHIVI (Secretary of the Committee) said that, according to the note on the status of documentation, the report on the employment of retirees had already been issued, as document A/C.5/51/2.

56. Ms. PEÑA (Mexico) asked whether, since the report had already been issued, the Fifth Committee could consider the matter before 7 October; that would give the Committee enough time to take a decision before the 15 October deadline.

57. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee on Administrative and Budgetary Questions might wish to make comments on the report in question; it must therefore be given enough time to examine the report, which it had not yet been able to do.

58. The CHAIRMAN suggested that the Fifth Committee should pursue its work, taking into account the comments and suggestions made; changes in its programme of work could always be made in the course of the session.

59. It was so decided.

The meeting rose at 5 p.m.